



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, Florida 33410

REPLY TO
ATTENTION OF

Palm Beach Gardens Regulatory Office
SAJ-2004-3517 (IP-SLS)

PUBLIC NOTICE

Permit Application No. SAJ-2004-3517 (IP-SLS) **OCT 21 2004**

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Fareena Khan
16494 Tangerine Boulevard
Loxahatchee, Florida 33470

WATERWAY & LOCATION: The project is located at 16534 Tangerine Boulevard, Loxahatchee within Section 36, Township 42 south, Range 40, Palm Beach County, Florida.

Directions to the site are as follows: from West Palm Beach, take Northlake Boulevard west to Seminole Pratt, turn left on Seminole Pratt and head south to Banyan Boulevard, turn right on Banyan Boulevard and property is the second lot on the south side of Tangerine Boulevard and Banyan Boulevard.

LATITUDE & LONGITUDE: Latitude 26°46'19.16" North
Longitude 80°18'14.05" West

PROJECT PURPOSE:

Basic: The project purpose is for the agricultural development of a privately owned lot in Loxahatchee.

Overall: The overall project purpose is for the construction and operation of a cattle farm for private use.

PROPOSED WORK: The applicant proposes to fill 2.62 acres of disturbed wetlands in order to operate a cattle farm on a 2.62-acre parcel. The applicant is requesting an After the Fact authorization for placing fill over 2.62 acre of disturbed wetlands.

EXISTING CONDITIONS: The property is currently cleared but historically was comprised of 2.62 acres of a freshwater-forested wetland system. The on-site vegetation has been primarily cleared but consists of remnants of a mixed canopy of cypress (*Taxodium* sp.) and slash pine (*Pinus elliottii*) dominated wetland. The groundcover and the majority of the canopy have been removed already with some cypress and slash pine remaining on the perimeter of the property. The lot is surrounded on both sides by developed single-family residential homes. The existing area surrounding the project area consists of a heavily populated area with single-family residential subdivision.

Endangered Species: The U.S. Army Corps of Engineers (Corps) has determined the proposed project **may affect, but is not likely to adversely affect** the Wood Stork or its designated critical habitat. The Corps will request Fish and Wildlife's/National Marine Fisheries Service's concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

Essential Fish Habitat (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact approximately 2.62 acres of previously cleared freshwater-forested wetlands utilized by various life stages of anadromous, catadromous, estuarine, and /or marine species. Our initial determination is that the proposed action **would not** have a substantial adverse impact on EFH or Federally managed fisheries in this watershed of Palm Beach County. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has been verified. The jurisdictional line has been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 15 days from the date of this notice.

If you have any questions concerning this application, you may contact Samantha Rice at the letterhead address, by electronic mail at Samantha.L.Shaw@saj02.usace.army.mil, by fax at 561/626-6971, or by telephone at 561/472-3516.

ADDITIONAL INFORMATION: After reviewing all available information pertaining to the completed work, the Department of the Army has not recommended legal action at this time. Final determination regarding legal action will be made after review of the project through the permit procedure. The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

[Yahoo!](#) [My Yahoo!](#) [Mail](#)



Sign In
New User? [Sign Up](#)

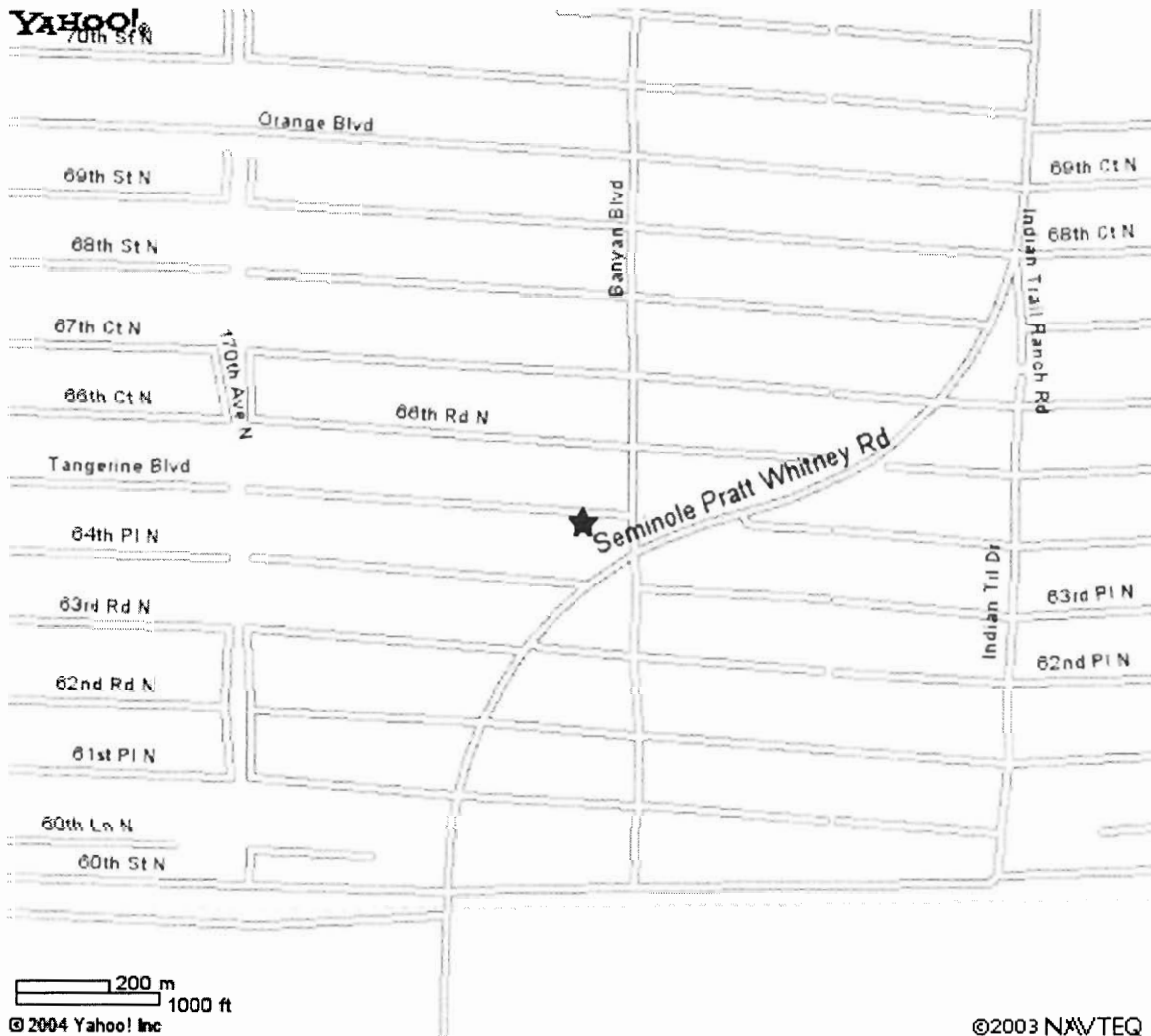
Search the web

[Maps Home](#)

Yahoo! Maps

« Back to Map

★ 16534 Tangerine Blvd Loxahatchee, FL 33470-5747



When using any driving directions or map, it's a good idea to do a reality check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.

Copyright © 2004 Yahoo! Inc. All rights reserved.

[Privacy Policy](#) - [Terms of Service](#) - [Copyright Policy](#) - [Yahoo! Maps Terms of Use](#) - [Help](#) - [Ad Feedback](#)




US Army Corps
of Engineers

2004-3517(IP-SLS)

Khan, Fareena

October 12, 2004 Attachment # 1 of 2



The cross-hatched lines shown indicate the jurisdictional wetland area according to the U.S. Army Corps' 1987 Wetland Delineation Manual.



US Army Corps
of Engineers.

Name

SKice



US Army Corps
of Engineers.

2004-3517(IP-SLS)

Khan, Fareena

October 12, 2004 Attachment # 1 of 2

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


John R. Hall
Chief, Regulatory Division